

REQUEST FOR COUNCIL ACTION

SUBJECT: Adoption of resolutions hiring local lobbying firms for the 2016 legislative session.

SUMMARY: Approval of the resolutions will retain the services of RRJ Consulting and Foxley and Pignanelli to represent the City during the state's 2016 legislative session.

FISCAL IMPACT: The maximum fiscal impact associated with the passage of the proposed contracts is \$230,004.

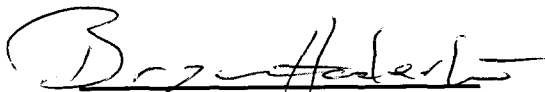
STAFF RECOMMENDATION:

Staff recommends approval of a contract with RRJ Consulting and Foxley & Pignanelli for lobbying services.

MOTION RECOMMENDED:

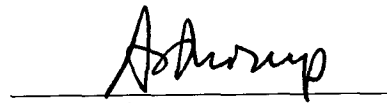
"I move to adopt resolutions No. 15-134 and No. 15-135 authorizing the Mayor to execute a contract with RRJ Consulting and Foxley and Pignanelli for lobbying and legislative consulting services for the 2016 legislative session."

Prepared by:



Bryce Haderlie
Acting City Manager

Reviewed as to Legal Form:



Robert Thorup
Deputy City Attorney

BACKGROUND DISCUSSION:

For the 2015 legislative session, the City contracted with RRJ Consulting and Foxley and Pignanelli for lobbying and legislative consulting services. The contract with RRJ Consulting was \$50,004 and the Foxley & Pignanelli contract was \$60,000. During the session, RRJ Consulting represented the City's interests in areas of infrastructure financing, and Foxley & Pignanelli represented the City's positions in policy issues.

The City issued a RFP for lobbyist services for the 2016 legislative session which received three responses, from Charles Evans & Associates, Foxley & Pignanelli, and RRJ Consulting. The proposal from RRJ Consulting totals \$50,004, the Charles Evans and Associates proposal included a range from \$50,000 - \$70,000, and the Foxley & Pignanelli contract totaled \$180,000.

City staff recommends retaining the services of RRJ Consulting and Foxley and Pignanelli to fill the same roles which they held during the 2015 session.

THE CITY OF WEST JORDAN, UTAH

A Municipal Corporation

RESOLUTION NO. 15-134

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT WITH RRJ CONSULTING LLC TO PERFORM LOBBYING AND CONSULTING SERVICES ON BEHALF OF THE CITY WITH THE UTAH STATE LEGISLATURE, THE UTAH GOVERNOR'S OFFICE, AND THE UTAH STATE DEPARTMENT OF TRANSPORTATION.

Whereas, the City of West Jordan desires to expand its state legislative advocacy efforts in the Legislature of the State of Utah; and

Whereas, the City desires to assemble and organize pertinent information, facts, and data relating to legislative matters affecting the City and its residents, and to present and disseminate such information to legislative bodies, executive officials of the state government, and other State of Utah bodies, departments, commissions, committees and organizations; and

Whereas, the services above primarily involve state legislative and administrative advocacy and that the City Council of West Jordan has determined that RRJ Consulting can competently provide these services in a timely, reliable, and professional fashion; and

Whereas, the City Council has determined that the attached contract with RRJ Consulting LLC for lobbying and consulting services, for an amount not to exceed \$50,004, is acceptable for said services for the duration of the 2016 legislative session.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF WEST JORDAN, UTAH, THAT:

Section 1. After approval as to legal form by the City Attorney, the Mayor is hereby authorized to execute the contract with RRJ Consulting LLC for the retention of the firm for lobbyist services.

Section 2. This resolution shall take effect immediately.

Adopted by the City Council of West Jordan, Utah this 8th Day of July, 2015.

Mayor Kim V. Rolfe

ATTEST:

Melanie S. Briggs
City Clerk

Voting by the City Council:

"AYE"

"NAY"

- Jeff Haaga
- Judy Hansen
- Chris McConnehey
- Chad Nichols
- Ben Southworth
- Sophie Rice
- Mayor Kim V. Rolfe

THE CITY OF WEST JORDAN, UTAH

A Municipal Corporation

RESOLUTION NO. 15- 135

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT WITH FOXLEY & PIGNANELLI TO PERFORM LOBBYING AND CONSULTING SERVICES ON BEHALF OF THE CITY WITH THE UTAH STATE LEGISLATURE, THE UTAH GOVERNOR'S OFFICE, AND THE UTAH STATE DEPARTMENT OF TRANSPORTATION.

Whereas, the City of West Jordan desires to expand its state legislative advocacy efforts in the Legislature of the State of Utah; and

Whereas, the City desires to assemble and organize pertinent information, facts, and data relating to legislative matters affecting the City and its residents, and to present and disseminate such information to legislative bodies, executive officials of the state government, and other State of Utah bodies, departments, commissions, committees and organizations; and

Whereas, the services above primarily involve state legislative and administrative advocacy and that the City Council of West Jordan has determined that Foxley & Pignanelli can competently provide these services in a timely, reliable, and professional fashion; and

Whereas, the City Council has determined that the attached contract with Foxley & Pignanelli for lobbying and consulting services, for an amount not to exceed \$180,000, is acceptable for said services for the duration of the 2016 legislative session.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF WEST JORDAN, UTAH, THAT:

Section 1. After approval as to legal form by the City Attorney, the Mayor is hereby authorized to execute the contract with Foxley & Pignanelli for the retention of the firm for lobbyist services.

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Judy Hansen
Chris McConnehey
Chad Nichols
Ben Southworth
Sophie Rice
Mayor Kim V. Rolfe



July 1, 2015

Kim Rolfe
Mayor, City of West Jordan
8000 S. Redwood Rd.
West Jordan, Utah 84088

Bryce Haderlie
Interim City Manager

Dear Mayor Rolfe, Councilmembers and Mr. Haderlie,

On behalf of our firm, thank you for agreeing to retain Foxley & Pignanelli for the services described herein. We are proud to represent the dynamic City of West Jordan while it solidifies its position as the economic hub of the Salt Lake Valley.

As you know, our firm has decades of experience in Utah government and political activities. This includes strong relationships with federal, state and local officials. Foxley & Pignanelli is honored to represent West Jordan and eager to put our services to work for you.

Based upon our conversations, we will provide a governmental and public affairs effort, commencing August 1, 2015, to include the following:

1. Foxley & Pignanelli will refine, with input and guidance from you and appropriate West Jordan representatives, the government relations and public affairs proposal to benefit West Jordan (The RFP Response outlining such proposal is attached hereto as "Exhibit A"). This may include discussions and meetings with the Governor's office and department members; key federal and state lawmakers; city officials in other communities, and other policymakers that are pertinent to implementing the public affairs plan and other objectives identified as important to West Jordan in Utah.
2. Discussions with legislators and other officials will be coordinated and undertaken by Foxley & Pignanelli.
3. Under the supervision of West Jordan, Foxley & Pignanelli will coordinate any media and/or community activities that West Jordan and Foxley & Pignanelli believe are necessary to complement and support our efforts.
4. Foxley & Pignanelli will communicate, as jointly determined, with special-interest groups, business organizations, and other interested parties the necessity of our objectives, and develop common interests as appropriate.

5. Foxley & Pignanelli will assist West Jordan in the development of a program to maintain long-term relationships with legislators, policymakers and members of the business community.
6. Foxley & Pignanelli will work with individuals West Jordan may designate in the development of any materials and information that are to be used in any discussions with elected and appointed officials.
7. Foxley & Pignanelli, under your direction, will maintain communications and discussions with the policymakers and other entities that further the objectives identified by West Jordan and Foxley & Pignanelli.
8. West Jordan has been advised of Foxley & Pignanelli's relationships with third parties that may present a conflict of interest or that may prevent Foxley & Pignanelli from carrying out the terms of this Agreement.

Foxley & Pignanelli respectfully submits the following compensation for its representation of West Jordan:

- a. A retainer commencing August 1, 2015;
 - i. State and Local Relations: \$10,000 per month; and
 - ii. Federal Relations: \$5,000 per month;
- b. This retainer is exclusive of any extraordinary expenses that Foxley & Pignanelli and West Jordan may jointly agree are necessary (i.e. media activities, any large-scale meals and other efforts with officials);
- c. All reasonable in-state transportation, telephone, mailing, nominal meals and meeting expenses and other related costs are included in this retainer;
- d. This agreement may be extended and renewed for additional periods subject to UTAH CODE ANN. § 63G-6a-101 *et seq.*; and
- e. Either party may terminate with 30 days notice.

Please let us know where any invoices, notices and other such communications should be sent.

Thank you again for considering Foxley & Pignanelli to assist West Jordan in its important endeavors. We are looking forward to working with you.

Sincerely,

/s/ Doug Foxley

/s/ Frank Pignanelli

FOXLEY & PIGNANELLI
60 S. 600 E. Ste. 150
Salt Lake City Utah, 84102
(801) 355-9188

Approved: _____

Name / Title: _____

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EXHIBIT A

RFP Response

60 South 600 East
Salt Lake City, UT 84102
T: (801) 355-9188
F: (801) 328-3388
foxpig@fputah.com
@foxandpig
www.fputah.com

GOVERNMENT & PUBLIC AFFAIRS PROPOSAL

By: Foxley & Pignanelli
For: West Jordan City
Submitted: June 2015

OVERVIEW

Over the past decades, the City of West Jordan has emerged from rural outpost to one of the fastest growing cities in the country and the fourth-largest city in the State of Utah. With this comes challenges demanding a government and public affairs team to help ensure the City can foster enduring economic growth and can provide the quality municipal services to which its residents have become accustomed.

With the guidance of West Jordan, the Foxley & Pignanelli team hopes to further our partnership with the City and build on successes achieved on behalf of the City. We express our full interest in continuing to help West Jordan navigate the political issues associated with recruiting, siting, and locating one or more new automotive dealerships to the community, bringing a unique, large-scale sports and entertainment complex to the City, corporate recruitment for economic development, federal requests, and transportation planning.

Foxley & Pignanelli will continue to work closely with the City to create a strategic plan and establish the best course of action to identify any obstacles, organize resources, and develop solutions. Foxley & Pignanelli hope to play an important role in continuing to advance West Jordan's dynamic vision for the future.

As many of the outlined strategies and information contained in this proposal are proprietary, we consider all information in this document to be considered "Protected" under GRAMA statutes.

OPPORTUNITIES TO EMBRACE AND OBSTACLES TO CONFRONT

In order for West Jordan to reach its full potential, the many opportunities for economic and community growth must be realized. Equally important, certain obstacles will need to be addressed. With West Jordan's guidance, Foxley & Pignanelli can identify such obstacles and create a plan that fits West Jordan's needs. Some of the opportunities - and challenges - already identified are as follows:

1. Continue development of a West Jordan "Auto Mall" by utilizing the revisions to the auto dealer law, and reformed committee makeup.
2. Explore other economic development opportunities, which may include the property adjacent/near to the Auto Mall, Boeing, Jordan Landing and other transportation corridors.
3. Working with Salt Lake County and Utah Transit Authority ("UTA") on the .25% sales tax increase to address implementation, funding flow, and allocation.

4. Address internal and external pressures to restructure the City's form of government to ensure any changes are in the best interest of the City and not a response to political tides.
5. Engagement in federal issues where the City will need to directly appeal to the Utah Congressional delegation, their staff, and colleagues. This, for example, would include various issues such as making the highest and best use of Airport #2.
6. With many weighty forthcoming issues, it will be evermore critical to gauge the perceptions and inclinations of the City's residents before making major decisions. It will be advantageous to solicit their feedback to create a long-term strategy. This could include, but is not limited to, public opinion surveys and focus groups.

RESOURCES AND STRATEGIES

Foxley & Pignanelli shall address the issues outlined above, with the following resources and others as such opportunities arise:

- **Developing an "Auto Mall"**
 - With the successful passage of the auto dealer reform bill, West Jordan will be better positioned to open a dealership where they were previously restricted from doing so. However, one dealership is not the ultimate goal. Foxley & Pignanelli would like to leverage this new statute and our relationships with one of Northern Utah's largest auto dealers as well as a large property owner to develop a full Auto Mall. This will take a significant amount of coordination and buy-in from all parties.
 - Auto Malls in other jurisdictions have generated various forms of meaningful economic development beyond auto dealerships, including repair centers, retail stores, hotels, restaurants and small technology outlets. Weighing this versus a dedicated Auto Mall will need to be more fully worked out.
- **Economic Development Opportunities / GOED / EDCU / Regional developers**
 - Foxley & Pignanelli are proud of the results accomplished regarding the prison relocation debacle. With the robust involvement from the city, we were able to demonstrate the critical economic development plans for the city. By building on this message and leveraging the expertise and relationships our firm has developed over 40+ years, we aim to position West Jordan as an economic mecca, which will solidify the City's reputation as the best place in Utah to do business.
 - Foxley & Pignanelli maintains important relationships with the Governor's Office of Economic Development ("GOED") leadership and board members. There are opportunities to involve GOED as an unbiased third party who can assist in recruiting unique business opportunities that will add to the City's

tax base, create jobs for residents, and contribute to the vibrant image the City is cultivating.

- Foxley & Pignanelli also enjoys relationships with key organizations such as the Economic Development Corporation of Utah (“EDCU”) and regional developers who focus on commercial enterprises.
- In concert with City officials, we will seek and recruit various sports and entertainment-related venues to bring a unique element to the City’s economic development portfolio.

- **Advocacy on Transportation Sales Tax Increase**

- Salt Lake County, UTA and other stakeholders will be placing pressure on West Jordan to support a .25% sales tax increase earmarked for increased transportation funding. This may become a controversial topic, so it will be critical to work with residents to measure support and determine where public opinion can be moved.
- Many municipalities are nervous about advocating for a tax increase, particularly those areas where mass transit may be underdeveloped or underutilized. We will have to work carefully and make sure that the message is delivered that certain projects have to come online. This also provides an opportunity for discussions and negotiations with Salt Lake County and UTA.

- **Form of Government**

- Both inside and outside of the City, there has been significant discussion about altering West Jordan’s form of government to a strong mayor structure. Foxley & Pignanelli, in close coordination with the City’s elected officials, will find a solution that best suits the needs of the residents while thwarting external pressures that may not be the right fit for the City.
- By leveraging our relationship with the League of Cities and Towns, long-standing relationships with many current and former local elected officials and city managers, and working with the public, we can solicit input and counsel from those who have operated under both forms and use this information to find a solution that is best for West Jordan.

- **Federal Issues**

- Foxley & Pignanelli enjoys a close relationship with each member of Utah’s congressional delegation. On key projects, this can be beneficial to West Jordan.
- With the termination of Federal budget earmarks, the positive impact of Washington DC federal lobbying firms on appropriations is severely limited. Thus, utilizing delegation offices is now of paramount importance - which is best achieved by a Utah-based firm.
- Airport:

- The time has come for the West Jordan airport to be fully optimized in terms of economic development, aeronautical transportation and as a west-side community resource. However, ownership by Salt Lake City has been an obstacle of development and an impediment to the vision of making the airport Utah's premier executive terminal.
- Foxley & Pignanelli will develop a strategy with or without Salt Lake City to implement a development plan for the airport that is beneficial to West Jordan and surrounding communities. Such tactics will require activities with Salt Lake City, the Utah Legislature, the Governor's Office and the Utah Congressional Delegation - which Foxley & Pignanelli can provide.

- **Resident Outreach and Research**

- Foxley & Pignanelli works closely with Y2 Analytics, a Utah-based polling and data analysis company founded by political insider Dave Hansen along with Professors Quin Monson and Kelly Patterson of Brigham Young University's Center for the Study of Elections and Democracy. Over the years many of our clients have benefited from our selectively implemented data driven approach to political and public advocacy. (Other cities such as Orem and South Jordan have conducted similar research utilizing the tools and expertise of Y2, and have found it beneficial.)
- In light of some of the recent news events occurring at City Hall, it is our recommendation the City conduct a public perception poll of residents to gauge their inclinations and craft a robust long-term strategy for the City. This can be administered as an online poll to reduce costs while still returning statistically relevant information. The costs for this survey are outside the fees outlined in this contract.
- Poll topics should include some of the issues outlined in this document as well as:
 - Ascertain how would they like the city to communicate with them (water bill insert, public meetings, newspaper, etc.)
 - Test their satisfaction of various city services.
 - Similar city surveys typically include additional questions pertaining to quality of life, satisfaction with elected officials, and perception of bang for their tax dollar.

- **Strategic Partnerships**

- **League of Cities and Towns** - Foxley & Pignanelli's close relationship with the Utah League of Cities and Towns cannot be understated; we even office next door. Our frequent partnerships with the League will be particularly advantageous when recruiting other communities with similar interests and issues, but has other potential for other utility. Having direct access to the League's existing base of knowledge and vast strategic

resources will better help us deal with many of the issues we have identified in this document. They have proven to be very helpful behind the scenes.

- **Media Outlets** - Foxley & Pignanelli represent the Utah Media Coalition and the Utah Press Association. Frank Pignanelli writes a weekly column for the Deseret News as well. We have longstanding relationships with Utah media leaders and have successfully overseen several successful public relations campaigns. These relationships and skills will be applied to frame some of internal conflicts but primarily promoting the economic vitality of the city.

REPORTING

- During the legislative session things move extremely quickly. As we did during the 2015 legislative session, we will continue to send real time emails as issues arise, bills are introduced, and committee hearings are scheduled. Additionally, we will continue to pass along any rumblings and intel we pick up around the Capitol Complex.
- Foxley & Pignanelli will deliver biannual presentations to the city council, mayor, and staff to give a status report of pending issues and receive direction.
- We suggest regular conference calls be scheduled with a designee from the Mayor's Office and the Council. These will be conducted monthly when the legislature is not in session and weekly when they are in session. These calls will provide a forum for us to deliver status reports but also to coordinate needed involvement from City officials to achieve the strategic goals of West Jordan.

TIMELINE

The following timeline represents some of the initiatives Foxley & Pignanelli can implement for West Jordan. This timeline will be further refined once we learn more about West Jordan's strategy and vision.

June - July 2015	<ul style="list-style-type: none">- Meet and discuss proposal with West Jordan City elected officials and staff.- Approve public affairs strategy.- Outline and prioritize economic development strategies.- Build on steps already taken to located a large scale sports and entertainment venue to the City.- Draft resident survey.- Identify current and former city officials and staff to solicit their input on various forms of local governments.
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August - September 2015	<ul style="list-style-type: none"> - Coordinate with the League of Cities and Towns on auto dealership board appointees. - Work with applying dealerships to submit and support their application to the board. - Continue outreach to potential landowners of "auto mall" site - Outreach to Salt Lake City, legislative and congressional officials regarding Airport #2. - Launch resident survey. - Meet with current and former city officials and staff to solicit their input on various forms of local governments.
October - November 2015	<ul style="list-style-type: none"> - Legislative event at West Jordan Music Festival. - Interim report on automobile dealership application status - Continue outreach on airport issues. - Begin pre-legislative meetings with West Jordan delegation and other legislators engaged in city initiatives.
January 2016	<ul style="list-style-type: none"> - Continue pre-legislative meetings. - Legislative session begins.
February - March 2016	<ul style="list-style-type: none"> - Legislative session continues.
April - May 2016	<ul style="list-style-type: none"> - Assess previous year's outcomes. - Develop goals and strategy for upcoming year.

FOXLEY & PIGNANELLI - GOVERNMENT RELATIONS/PUBLIC AFFAIRS CREDENTIALS

Established in October 1997, Foxley & Pignanelli is the preeminent government and public affairs firm in Utah. The firm represents a number of large organizations and businesses with operations throughout the Intermountain West. For several years, Foxley & Pignanelli has represented a number of prominent international, national and Utah based companies and organizations (a full listing is attached and available at www.fputah.com)

Foxley & Pignanelli was awarded "Best of State" for Government Relations two years running now in 2014 and 2015. This prestigious award recognized the contributions the firm has made to the community and the lobbying profession.

The senior principal of the firm, **Douglas S. Foxley**, is continually recognized by local media as the leading government relations expert in Utah. A practicing attorney, Mr. Foxley has been a major presence in Utah politics and legislative activities since 1982. Foxley is

consistently retained as senior advisor to Utah's top political campaigns, including Jon Huntsman for governor (2004, 2008) and Sen. Orrin Hatch (2012)

Frank R. Pignanelli served in Utah State Legislature for ten years, six as the Minority Leader of the Utah House of Representatives. Also a practicing attorney, Mr. Pignanelli was active in general litigation until 1993 when he was hired by Blue Cross Blue Shield of Utah to serve as Vice President and General Counsel. Mr. Pignanelli is a weekly local columnist for the Deseret News.

Every fall semester, Doug Foxley and Frank Pignanelli teach an upper division class at the University of Utah Hinckley Institute Of Politics. This course instructs and trains selected students to develop and initiate political and public affairs campaign plans.

Renaé Cowley and Stephen Foxley joined Foxley & Pignanelli in 2013. Renaé, a graduate of Utah State University, has been heavily involved in many Utah political campaigns and has built a reputation as an artful campaign consultant and top-notch fundraiser. She is currently pursuing her MBA through Texas A&M. Stephen received his J.D. from the University of Utah and graduated from the University of Southern California in business administration. Steve came to the firm after clerkships with the Woodbury Corporation and University of Utah Lassonde Entrepreneur Center.

PROPOSED FEES

The services described above are extremely labor intensive and will require tremendous time and effort by Foxley & Pignanelli. Understanding that, Foxley & Pignanelli proposes the following rates to implement the Strategic Plan as described above, commencing July 1, 2015:

- State and Local Relations: \$10,000 per month
- Federal Relations: \$5,000 per month

Expenses incurred for travel outside of Utah will be in addition to this fee, but must be approved by the City beforehand. Surveys and citizen outreach (including such services provided by Y2) are also exclusive of this fee. Foxley & Pignanelli do not anticipate retaining paid consultants. However, should consultants be needed, they will be selected with the express approval of West Jordan, and will possess specific expertise and focus to achieve West Jordan's objectives. Foxley & Pignanelli will provide direction and supervision to other involved parties to ensure completion of goals and objectives. All normal office costs and expenses are included in this fee. External research or other work conducted by outside consultants, if any, is exclusive of this fee.

Foxley & Pignanelli would consider it an honor to work with a city of such high caliber and strong vision as West Jordan. We know Utah's fourth largest the city is a thriving economic center, leader in Utah business and social development, and a pleasant community for residents to live and work. We hope to have the opportunity to share your story and advocate for West Jordan throughout Utah and in Washington, D.C.

Should you have any questions regarding our proposal, please contact us at your earliest convenience.

Respectfully submitted,

/s/ Douglas S. Foxley

/s/ Frank R. Pignanelli

Foxley & Pignanelli
60 South 600 East Suite #150
Salt Lake City, UT 84102
(801) 355-9188
Web: www.fputah.com
Email: foxpig@fputah.com
Twitter: @foxandpig

CITY OF WEST JORDAN CONTRACT

This agreement constitutes a contract for lobbying and consulting services hereby entered into between the City of West Jordan (hereafter 'the city') and RRJ Consulting LLC. These services shall be provided for the term beginning May 1, 2015 and ending April 30, 2016.

- 1) The City agrees to retain RRJ Consulting to perform lobbying and consulting services with the Utah State Legislature, the Utah Governor's Office, and the Utah Department of Transportation.
- 2) RRJ Consulting will render these services as an independent contractor and not as an employee.
- 3) Without the express prior written approval of the City, RRJ Consulting agrees to not enter into any agreement to render similar services to any other person, company, or entity if the rendering of such services would constitute a conflict of interest with the City. RRJ Consulting will provide the City at least quarterly with the names of other governmental entities engaging RRJ as a lobbyist or consultant.
- 4) As compensation for these services the City agrees to pay RRJ Consulting a fee of \$4,167.00 per month.
- 5) In exchange for this compensation, RRJ Consulting will:
 - a. Work to successfully accomplish the transportation and road construction objectives as outlined by the City.
 - b. Monitor all relevant legislation, rules, regulations, policies, and actions from the point of introduction until final disposition in order to successfully accomplish the transportation and road construction objectives as outlined by the City.
 - c. Arrange visits with designated legislators and state officials determined in order to successfully accomplish the transportation and road construction objectives as outlined by the City.
- 6) RRJ Consulting will comply fully with applicable federal, state, and local laws and regulations, including laws applicable with lobbying, and will be responsible for preparing and filing all registration and reporting forms required by the federal, state, or local entity governing its representation of the City.

The City agrees to provide RRJ Consulting mutually agreed upon legal counsel or the mutually agreed upon cost of legal counsel if RRJ Consulting is brought, subpoenaed, or asked to appear before a local, state, or federal investigating body for questioning or testimony relating to the activities of RRJ Consulting on behalf of the City, or services provided to City in accordance with this agreement.

- 7) The parties agree that the retainer paid by the City to RRJ Consulting is for the purpose of compensating RRJ Consulting for their services described herein. The parties acknowledge that none of the funds paid by the City to RRJ Consulting are for the purpose of making, directly, or indirectly, any contributions to any political candidate, campaign, or related concern. Moreover, the parties recognize that RRJ Consulting is not authorized to make any contributions from said retainer fee to any political candidate, campaign, or concern on behalf of the City.
- 8) Any extension of the agreement will be contingent upon the written mutual consent of the City and RRJ Consulting.
- 9) This agreement may be terminated by the City upon 30 days written notice to RRJ Consulting. However, if said termination does not occur by the 30th calendar day of the 2016 session of the Utah State Legislature, then all monthly retainers due under this letter of agreement through April, 2016 would still be due to RRJ Consulting. RRJ may terminate the agreement upon 30 days written notice to the City, and all unpaid retainer fees as of the date of such termination by RRJ are thereby waived by RRJ Consulting.
- 10) Any legislative advocacy position communicated by the City to RRJ, and any information about the City provided or communicated by the City or any of its agents to RRJ shall be used solely for the purpose of RRJ's lobbying and consulting services on behalf of the City, and only as necessary to accomplish such services, and shall otherwise be held and treated as confidential by RRJ Consulting.

IN WITNESS HEREOF, the parties sign and cause this contract to be executed:

CONTRACTOR

CITY OF WEST JORDAN


Contractor's signature

Mayor's signature

Attest:

Approved as to Legal Form:

City Clerk



City Attorney

Date: _____